

# SUMMARY REPORT DIGEST

## CHICAGO POLICE DEPARTMENT

LOG NO  
**1049524**TYPE  
**CR**DATE OF REPORT  
**24-MAR-2014**

INSTRUCTIONS: To be used in all cases that are to be classified as either **EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT**, or in **SUSTAINED** cases where the Disciplinary Recommendation does not exceed **Five (5) DAYS SUSPENSION**.

**TO: CHIEF ADMINISTRATOR, INDEPENDENT POLICE REVIEW AUTHORITY**

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
NUFIO, OSCAR	9183			113	

REFERENCE NOS.(LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS: 10330 S. ELIZABETH ST, CHICAGO, IL 60643	DATE / TIME: 24-OCT-2011 12:10	BEAT: 2232
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### ACCUSED

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY ?	SWORN ?
	9161	16808		022		M / WHI		02-JAN-1991	YES	YES
	9161	9816		022		M / BLK		02-JAN-1991	YES	YES

### REPORTING PARTY

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
		CHICAGO, IL		F / BLK	/ 54

### VICTIMS

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
		CHICAGO, IL		F / BLK	/ 54
		CHICAGO, IL		F / BLK	/ 18

### WITNESSES

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
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\* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

### ALLEGATIONS

SEE PAGE 3

## SUMMARY

SEE PAGE 3

## ATTACHMENTS

INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER:	PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
7-15	4-6, 17-18, 20-30	19	31

## FINDINGS - RECOMMENDATIONS

### FINDINGS:

**Accused #1**  
Allegation 1

**OFFICER MICHAEL BURNETTE, #16808, UNIT 022**  
EXONERATED

**Accused #2**  
Allegation 1

**OFFICER GEORGE NEWELL, #9816, UNIT 022**  
UNFOUNDED

 016  
Supervisor Bruce Dean, #16

DATE INITIATED  
(Date incident was received for investigation)

31-OCT-2011

DATE COMPLETED (Date of this report)

24-MAR-2014

ELAPSED TIME  
(Total time expressed in days)

875

Investigator will initiate the Command Channel Review form by  
completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE  


IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

**ALLEGATIONS:**

On 24 October 2011, at 1504 hours, the complainant, [REDACTED] filed this complaint with the Independent Police Review Authority (IPRA). Ms. [REDACTED] alleged that on 24 October 2011, at approximately 1215 hours, at 10330 S. Elizabeth Street, **Officer Michael Burnette, #16808, Unit 022:**

- 1) Pushed the victim, [REDACTED]

Ms. [REDACTED] also alleged that on 24 October 2011, at approximately 1215 hours, at 10330 S. Elizabeth Street, **Officer George Newell, #9816, Unit 022:**

- 1) Threatened to arrest her for Disorderly Conduct without justification.

**INVESTIGATION:**

In a **statement** to the Independent Police Review Authority (IPRA) on 24 October 2011, **complainant**, [REDACTED] stated that on 24 October 2011, at approximately 1215 hours, she received a call from Julian High School notifying her that her daughter, [REDACTED] had an anxiety attack. When Ms. [REDACTED] arrived at the school she was informed that her daughter was involved in a fight. Ms. [REDACTED] stated that she observed Ms. [REDACTED] "hollering and screaming" at another female student. Ms. [REDACTED] stated that Ms. [REDACTED] approached the female student and it appeared Ms. [REDACTED] was about to fight this student. At that moment, Officer Burnette approached and pushed Ms. [REDACTED] out of the way. Officer Newell was also present but did not have any physical contact with Ms. [REDACTED]. Ms. [REDACTED] stated that she was upset and told the officers that she was going to take her daughter to another school. Officer Newell told Ms. [REDACTED] that she, Ms. [REDACTED] needs to leave the school or she will be arrested for Disorderly Conduct. Ms. [REDACTED] stated that her daughter was not injured from the push. (Attachments 12, 16)

In a **statement** to the Independent Police Review Authority (IPRA) on 24 October 2011, **victim**, [REDACTED] stated that on 24 October 2011, at approximately 1215 hours, she was walking down the first floor hallway when she got into an argument with a female student. Ms. [REDACTED] stated that she and the female student were getting louder in their argument. Officer Burnette approached Ms. [REDACTED] and pushed her once on her shoulder and told her to go inside the office. Ms. [REDACTED] stated that an unknown officer, now known to be Officer Newell, threatened to arrest her mother, Ms. [REDACTED] (Attachments 9, 15)

**Video Recordings from** [REDACTED] did not capture the incident under investigation. (Attachment 20, 21)

In To/From/Subject reports, **Accused Officers George Newell and Michael Burnette** both reported that they could not recall the incident. Both officers stated that the only encounter that they can recall with Ms. [REDACTED] is when they arrested her on 19 October 2011. (Attachment 25, 30)

**CONCLUSION:**

The Reporting Investigator recommends that the Allegation against Officer Burnette be EXONERATED regarding the allegation that he pushed Ms. [REDACTED]. Ms. [REDACTED] stated that she observed Ms. [REDACTED] "hollering and screaming" at another female student and that Ms. [REDACTED] approached the student in a manner which she described as if to fight her. It was at that moment that Officer Burnette allegedly pushed Ms. [REDACTED] out of the way to de-escalate the situation and prevent a possible fight. Ms. [REDACTED] stated that she did not approach the student to fight her but just to argue with her, which she described to be in a loud manner. Ms. [REDACTED] did not sustain any injury or fall from the push. Officer Burnette pushed Ms. [REDACTED] but he was justified in doing so to prevent a physical altercation.

The Reporting Investigator recommends that the Allegation against Officer Newell be UNFOUNDED. Ms. [REDACTED] stated that she was upset and argued with the officers. It is reasonable to conclude that Officer Newell simply warned Ms. [REDACTED] that she could be arrested for Disorderly Conduct if she did not leave the school. Officer Newell did not threaten to arrest Ms. [REDACTED] without justification, and the actions described by Ms. [REDACTED] did not constitute misconduct.


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[Incident Review](#)
[Investigation](#)

## Reporting Category

Category	Subcategory	Situation	Victim/Offender Armed?	Weapon Types	Weapon Other	Weapon Recovered?	Deceased?
05M UNNECESSARY PHYSICAL CONTACT / ON DUTY - NO INJURY	PUSH/PULL/GRAB	NO ARREST	-	-	-	-	-

row(s) 1 - 1 of 1

Log No: 1049524 Type:CR

## Accused Members

Review	Name	Status	Accused Overall Finding	Recommended Penalty	No. of Days	Date/Time Served	Created Date	Complimentary History
<a href="#">View</a>	NEWELL, GEORGE	CLOSED/FINAL	UNFOUNDED	-	-	-	24-OCT-2011	N/A
<a href="#">View</a>	BURNETTE, MICHAEL	CLOSED/FINAL	EXONERATED	-	-	-	24-OCT-2011	N/A

row(s) 1 - 2 of 2

## Attachments

No. Type	Related No. of Person Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content?	Approve Inclusion?
<a href="#">View</a> 1	FACE SHEET	N/A - -	-	LUKAS, JAMES	OCT-24-2011 15:04	-	-	-
<a href="#">View</a> 2	CONFLICT CERTIFICATION	N/A - -	-	ORDOWER, JOSEPH	OCT-31-2011 10:12	-	-	-
<a href="#">View</a> 3	CONFLICT CERTIFICATION	N/A - -	-	NUFIO, OSCAR	OCT-31-2011 12:23	-	-	-
<a href="#">View</a> 4	ARREST REPORT	N/A 5	-	BROWN, DANITA	NOV-25-2011 08:38	APPROVED	-	YES
<a href="#">View</a> 5	GENERAL OFFENSE CASE REPORT	N/A 2	RD# HT-549342	-	BROWN, DANITA	NOV-25-2011 08:39	APPROVED	- YES
<a href="#">View</a> 6	P.C.A.D. (PCAD) REPORTS	N/A 1	1129705359	-	BROWN, DANITA	NOV-25-2011 08:39	APPROVED	- YES
<a href="#">View</a> 7	CONSENT FOR INTERVIEW WITH JUVENILE	N/A 1	(REDACTED)	-	BROWN, DANITA	NOV-25-2011 08:40	APPROVED	- YES
<a href="#">View</a> 8	CONSENT FOR AUDIO RECORDED INTERVIEW	N/A 1	(REDACTED)	-	BROWN, DANITA	NOV-25-2011 08:41	APPROVED	- YES
<a href="#">View</a> 9	AUDIO INTERVIEW	N/A 1	Victim, (REDACTED)	YES	NUFIO, OSCAR	NOV-22-2011 14:59	APPROVED	- YES
<a href="#">View</a> 10	SWORN AFFIDAVIT FROM COMPLAINANT	N/A 1	(REDACTED)	-	BROWN, DANITA	NOV-25-2011 08:42	APPROVED	- YES
<a href="#">View</a> 11	CONSENT FOR AUDIO RECORDED INTERVIEW	N/A 1	(REDACTED)	-	BROWN, DANITA	NOV-25-2011 08:43	APPROVED	- YES
12	AUDIO INTERVIEW	N/A 1	Complainant,	YES	NUFIO,	NOV-22-	APPROVED	- YES

<a href="#">View</a>						OSCAR	2011 15:02		
<a href="#">View</a>	13	SWORN AFFIDAVIT FROM COMPLAINANT	N/A	1		-	BROWN, DANITA	NOV-25- 2011 08:43	APPROVED - YES
<a href="#">View</a>	14	PHOTO IDENTIFICATION	N/A	1		-	BROWN, DANITA	NOV-25- 2011 08:44	APPROVED - YES
<a href="#">View</a>	15	REPORT (OTHER)	N/A	15	STATEMENT OF	-	BROWN, DANITA	NOV-25- 2011 08:45	APPROVED - YES
<a href="#">View</a>	16	REPORT (OTHER)	N/A	9	STATEMENT OF	-	BROWN, DANITA	NOV-25- 2011 08:46	APPROVED - YES
<a href="#">View</a>	17	REPORT (OTHER)	N/A	1	IPRA NOTICE OF INCIDENT	-	BROWN, DANITA	NOV-25- 2011 08:47	APPROVED - YES
<a href="#">View</a>	18	REPORT (OTHER)	N/A	12	Julian H.S. incident reports.	YES	BROWN, DANITA	NOV-25- 2011 08:51	APPROVED - YES
<a href="#">View</a>	19	VIDEO RECORDING	N/A	1	Video from Julian H.S.	YES	NUFIO, OSCAR	MAR-24- 2014 20:48	APPROVED - YES
<a href="#">View</a>	20	TO/FROM REPORT	N/A	1	Julian H.S. video viewing report	YES	NUFIO, OSCAR	MAR-24- 2014 20:49	APPROVED - YES
<a href="#">View</a>	21	REQUEST FOR INTERVIEW/STATEMENT/REPORT	N/A	2	PO Burnette	YES	NUFIO, OSCAR	MAR-24- 2014 20:49	APPROVED - YES
<a href="#">View</a>	22	NOTIFICATION OF CHARGES/ALLEGATIONS	N/A	1	PO Burnette	YES	NUFIO, OSCAR	MAR-24- 2014 20:50	APPROVED - YES
<a href="#">View</a>	23	ADMINISTRATIVE PROCEEDINGS RIGHTS	N/A	1	PO Burnette	YES	NUFIO, OSCAR	MAR-24- 2014 20:50	APPROVED - YES
<a href="#">View</a>	24	WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL	N/A	1	PO Burnette	YES	NUFIO, OSCAR	MAR-24- 2014 20:50	APPROVED - YES
<a href="#">View</a>	25	TO/FROM REPORT	N/A	1	Accused report from PO Burnette	YES	NUFIO, OSCAR	MAR-24- 2014 20:51	APPROVED - YES
<a href="#">View</a>	26	REQUEST FOR INTERVIEW/STATEMENT/REPORT	N/A	2	PO Newell	YES	NUFIO, OSCAR	MAR-24- 2014 20:51	APPROVED - YES
<a href="#">View</a>	27	NOTIFICATION OF CHARGES/ALLEGATIONS	N/A	1	PO Newell	YES	NUFIO, OSCAR	MAR-24- 2014 20:52	APPROVED - YES
<a href="#">View</a>	28	ADMINISTRATIVE PROCEEDINGS RIGHTS	N/A	1	PO Newell	YES	NUFIO, OSCAR	MAR-24- 2014 20:52	APPROVED - YES
<a href="#">View</a>	29	WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL	N/A	1	PO Newell	YES	NUFIO, OSCAR	MAR-24- 2014 20:53	APPROVED - YES
<a href="#">View</a>	30	TO/FROM REPORT	N/A	1	PO Newell	YES	NUFIO, OSCAR	MAR-24- 2014 20:53	APPROVED - YES
<a href="#">View</a>	31	INVESTIGATOR CASE LOG	N/A	1	-	YES	NUFIO, OSCAR	MAR-24- 2014 20:53	APPROVED - YES
<a href="#">View</a>	-	SUMMARY REPORT DIGEST	N/A	4	1049524	NO	DEAN, BRUCE	APR-07- 2014 22:13	APPROVED - YES

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**Internal Use Only**

No Internal Use Only attachments available.

**Print Accused Appeal Forms**

No Accused Appeal forms available for this Log No.

## Related Incidents

**TIP** Related Incidents listed below are for reference only. These may be viewed using the related application search screens.

No Related Incidents associated with this Log No.

## Status History

**TIP** Every employee included in the Status History is subject to be called for legal or administrative proceedings.

Resulting Status	Status Date/Time	Created By	Position	Employee No.	Assigned/ Detailed Unit	Comments
CLOSED/FINAL	12-MAY-2014 10:35	HAZBIC, AMRA	CLERK 3		113 / -	-
PENDING IMPLEMENT ACTION	02-MAY-2014 18:52	WALSH, PATRICIA	DEP CHIEF		212 / -	-
PENDING COMMAND CHANNEL REVIEW	02-MAY-2014 18:06	GODSEL, DANIEL	COMMANDER		022 / -	-
PENDING COMMAND CHANNEL REVIEW	28-APR-2014 07:18	SUSNIS, MAUREEN	SERGEANT OF POLICE		121 / -	-
PENDING ADVOCATE REVIEW	24-APR-2014 13:26	LANE, MARIE	POLICE AGENT		121 / -	-
PENDING REVIEW INCIDENT (I.A.D./DISTRICT USE)	23-APR-2014 08:03	HAZBIC, AMRA	CLERK 3		113 / -	-
CLOSED AT C.O.P.A.	23-APR-2014 07:59	HAZBIC, AMRA	CLERK 3		113 / -	-
PENDING REVIEW INCIDENT (C.O.P.A. USE ONLY)	21-APR-2014 19:54	DEAN, BRUCE	SUPERVISING INV COPA		113 / -	-
PENDING INVESTIGATIVE REVIEW	16-APR-2014 14:49	NUFIO, OSCAR	INVESTIGATOR I COPA		113 / -	-
PENDING INVESTIGATION	15-APR-2014 18:23	DEAN, BRUCE	SUPERVISING INV COPA		113 / -	-
PENDING INVESTIGATIVE REVIEW	14-APR-2014 07:40	HAZBIC, AMRA	CLERK 3		113 / -	-
PENDING REVIEW INCIDENT (C.O.P.A. USE ONLY)	09-APR-2014 15:40	DEAN, BRUCE	SUPERVISING INV COPA		113 / -	-
PENDING INVESTIGATIVE REVIEW	09-APR-2014 08:03	HAZBIC, AMRA	CLERK 3		113 / -	-
PENDING REVIEW INCIDENT (C.O.P.A. USE ONLY)	07-APR-2014 22:13	DEAN, BRUCE	SUPERVISING INV COPA		113 / -	-
PENDING INVESTIGATIVE REVIEW	24-MAR-2014 21:01	NUFIO, OSCAR	INVESTIGATOR I COPA		113 / -	-
PENDING INVESTIGATION	31-OCT-2011 10:12	ORDOWER, JOSEPH	SUPERVISING INV COPA		113 / -	-
PENDING ASSIGN INVESTIGATOR	27-OCT-2011 19:21	STOUTENBOROUGH, ANDREA	SUPERVISING INV COPA		113 / -	Type Changed from INFO to CR on 27-OCT-2011 19:21 by STOUTENBOROUGH, ANDREA Affidavit information for this Log Number has changed on 27-OCT-2011 19:21 by STOUTENBOROUGH, ANDREA
PENDING ASSIGN TEAM	24-OCT-2011 18:24	DEAN, BRUCE	SUPERVISING INV COPA		113 / -	-
PENDING SUPERVISOR REVIEW	24-OCT-2011 18:05	LUKAS, JAMES	INVESTIGATOR 3 COPA		113 / -	-
PRELIMINARY	24-OCT-2011	LUKAS, JAMES	INVESTIGATOR 3 COPA		113 / -	-

## Command Channel Reviewers

Accused Name	Sequence No.	Reviewer
BURNETTE, MICHAEL	1	GODSEL, DANIEL
BURNETTE, MICHAEL	2	WALSH, PATRICIA
NEWELL, GEORGE	1	GODSEL, DANIEL
NEWELL, GEORGE	2	WALSH, PATRICIA

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